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Approved For Release 2001/05/01 : CIA-RDP81-00142R000100050004-5

OGC 78-S302

8-11-78

DD/R Registry

78-3611

10 AUG 1978

MEMORANDUM FOR: Deputy Director for Administration

VIA: Legal Counsel

25X1A

FROM: [REDACTED]
Chairman, Headquarters Claims Review Board

SUBJECT: Appeal of Adjudication on Personal Property
Claim-- [REDACTED]

25X1A

REFERENCE: Adjudication of Claim Under [REDACTED] Case 25X1A
Number [REDACTED] dtd 2 Aug 78 (OL 8 3608)

1. (U) Action Requested: Paragraph four contains a recommendation for your approval.

2. (S) Background:

25X1A

a. [REDACTED] a staff employee, transferred from Headquarters to [REDACTED] in November 1976. Upon receipt of his air freight, a trunk, television, and a stereo speaker were damaged. Mr. [REDACTED] collected \$243.75 as settlement for damages from the airline company responsible for his shipment. He placed a claim with the Agency for \$81.25 which represented the balance of his loss.

25X1A

b. On 2 August 1978, the Claims Review Board (CRB) adjudicated [REDACTED] claim in the amount of \$34.92. Upon notification of the approved \$34.92 settlement, Mr. [REDACTED] was given the opportunity to accept this amount or reject it and appeal his case in accordance with [REDACTED] has elected to appeal for full recovery of an additional \$46.33. He has not submitted new evidence in his appeal but has taken exception to the method used to determine the allowable amount of settlement.

E2 IMPDET
CL BY 020974

OL 8 3732a

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25X1A SUBJECT: Appeal of Adjudication of Personal Property Claim
[REDACTED] (S)

3. (S) Staff Position:

a. In accordance with [REDACTED] the CRB 25X1A utilizes the overall average Consumer Price Index to adjust the acquisition cost of lost or damaged items to reflect market values. Appropriate depreciation rates then are applied to the adjusted values to determine the cost of the items at the time of loss or damage.

b. Consequently, the cost of [REDACTED] lost items, at the time of his loss, were computed as follows:

<u>Item</u>	<u>Orig. Cost</u>	<u>Appreciated Value</u>	<u>Depreciation</u>	<u>Value at Loss</u>
Trunk	\$100.00	105.03	5.25	99.78
Stereo Speaker	50.00	63.40	9.51	53.89
T.V.	125.00	125.00	0.00	125.00

Total Value of Property: \$278.67

Third Party Recovery: 243.75

Settlement of Claim: 34.92

25X1A c. [REDACTED] claim has been computed in the same manner as all other employees' personal property claims. His appeal provides no new evidence or facts which would give the Board a reason to modify or change its decision.

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SUBJECT: Appeal of Adjudication on Personal Property Claim
[REDACTED]

4. (S) Recommendation: It is recommended that the original settlement of \$34.92 offered [REDACTED] be sustained.
[REDACTED]
X1A

Att: OL 8 3608 (Adjudication of Claim)

NO LEGAL OBJECTION:

25X1A

[REDACTED]
Legal Adviser, HCRB

Date _____

APPROVED: *s/ Michael J. Malanie*
A Deputy Director for Administration

DISAPPROVED: *Deputy Director for Administration*

DATE: 29 SEP 1979

Distribution:

Orig - LA/LOG
1 - CRB Chrono
1 - Official
1 - Suspense

OL//P&PS/Claims Review Board/ [REDACTED] jm/8131 (9 Aug 25X1A

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